REMARKS

Objection to the Specification – 37 C.F.R. § 1.75(d)(1)

The Office Action objects to the specification for failing to provide a proper antecedent basis for the claimed subject matter under 37 C.F.R. § 1.75(d)(1), MPEP § 608.01(o), and MPEP § 2181IV. Applicants have amended the claims in accordance with the telephone conference of June 7, 2007 and the rejection should therefore be withdrawn.

Claim Rejections – 35 U.S.C. § 112, 2nd Paragraph

Claims 1-30 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The Office Action states that in claim 1, it is unclear if the "detecting changes" detects changes to the attribute definitions (as claimed) or changes in the 'values' of the attributes. Examples of detecting changes articulated in the specification and claimed in the claims are directed toward aspects of the inventory item or conditions surrounding the inventory item. Detecting changes in the inventory attributes of the inventory item articulated in the specification, for example, include reading from a clock the time when the inventory item is removed from a refrigerator, reading the temperature from a kitchen thermometer, reading from the clock the time when the inventory item is returned to the refrigerator, and calculating a freshness coefficient in dependence upon the time when removed, the time when returned, and the temperature; detecting that the inventory item has been removed from and returned to an inventory storage location; detecting changes in the inventory attributes includes detecting that one of the separate items has been removed from inventory; reading from a clock the current date, and calculating the age of the inventory item in dependence upon the current date and the inventory date. All these examples show detecting values of attributes. Applicants propose that such clear support in the specification for detecting

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changes in values cures the rejection. If not, Applicants will amend the claims accordingly.

The Office Action states that in claims 11 and 21, it is unclear what is the corresponding structure in the 'means for detecting changes....'" In particular, it is unclear which hardware and/or software elements make up the "means for detecting changes...." To cure the rejection, claims 11 and 21 have been amended to remove the "means for" invocations and the rejection should be withdrawn.

The Office Action states in claim 12, the term "OSGI" is indefinite. Applicants specification describes OSGI on page 12:

> "OSGI" refers to the Open Services Gateway Initiative, an industry organization developing specifications for service gateways, including specifications for delivery of service bundles, software middleware providing compliant data communications and services through service gateways. The Open Services Gateway specification is a java based application layer framework that gives service providers, network operator device makers, and appliance manufacturer's vendor neutral application and device layer APIs and functions. An "API" is an Application Program Interface, a set of routines, protocols, and tools for building software applications.

Furthermore, Applicants submit that the term OSGI is well known in the art and that the OSGI Open Service Gateway Specification Release 1.0 was released in May of 2000. The specification is available for download at 'http://osgi.org/osgi_technology/download_specs.asp?section=2'. Applicants propose that this specificity cures the rejection of the term 'OSGI.'

Claim Rejections – 35 U.S.C. §§ 102 and 103 Over Reber

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Claims 1-30 stand rejected under 35 U.S.C. §§ 102 or 103 as being anticipated by Reber, *et al.* (U.S. Patent No. 5,798,694). Reber discloses a food storage apparatus and methods and systems for monitoring a food item. The principal object of Reber is described in column 10, lines 58-60, of Reber which states:

> Because the various embodiments of the present invention provide communication of signals between a cover and a container, they provide a significant improvement in that various functions provided by a food storage apparatus can be distributed therein. Additionally, the various embodiments of the present invention as herein-described monitor a condition of a food item to alert an individual of a discard condition of a food item requiring refrigeration.

That is, Reber describes a food storage apparatus capable of indicating when food should be discarded. By contrast, Applicants claim *inventory control* including *inter alia* RFID identification tags and detecting changes in the inventory item attributes. The food storage apparatus of Reber is in fact incapable of inventory control because the food storage apparatus of Reber monitors food in one container only. Reber discloses no coordination among containers that might constitute inventory control. Furthermore, Reber discloses no ability to distinguish the condition of individual food items in the same container. That is, Reber monitors all the food contained in the container without distinction to individual food items contained in the container, thereby making the teaching of Reber unsuited for inventory control. Applicants respectfully request reconsideration of claims 1-30.
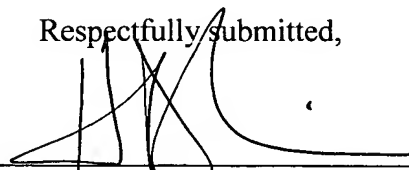
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The Commissioner is hereby authorized to charge or credit Deposit Account No. 50-3082 for any fees required or overpaid including fees for extensions of time.

Respectfully submitted,

Date: June 7, 2006 By: _____

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